

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ON APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Robert T. Bell, et al.
Serial No.: 09/032,083
Filing Date: February 27, 1998
Confirmation No. 9496
Group Art Unit: 2665
Examiner: Steven H. D. Nguyen
Title: SYSTEM AND METHOD FOR PERFORMING SIGNALING
ON BEHALF OF A STATELESS CLIENT

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENT TO THE APPEAL BRIEF

Appellant received a Notification of Non-Compliant Appeal Brief dated July 3, 2007 (“Notification”). The *Notification* indicated that the Appeal Brief filed by Appellants on November 16, 2005 failed to provide a complete Summary of Claimed Subject Matter in accordance with 37 C.F.R. § 41.37(c)(1)(v). In response, Appellants file this Supplement to the Appeal Brief including an Amended Summary of Claimed Subject Matter pursuant to M.P.E.P. § 1205.03. Appellant respectfully requests consideration by the Board of: the Appeal Brief, this Supplement to the Appeal Brief, and the Reply Brief filed by Appellant on April 7, 2006.

AMENDED SUMMARY OF CLAIMED SUBJECT MATTER

The claims of the present application are directed to a communication system capable of performing state-based signaling on behalf of stateless clients and related methods of operation. The communication system includes state-based terminals (205, 206, and 225) and stateless clients (235, 236, and 237). Specification, Figure 2.

Stateless clients are low capability, “dumb” devices that are incapable of performing state-based signaling, and state-based terminals are higher capabilities devices that are capable of performing state-based signaling. *Id.* at page 5, line 19 - page 6, line 6. As described in the Background of the Invention, state-based standards such as H.323 require complex protocol and signaling methods. *Id.* at page 1, line 9 - page 2, line 21. The present application provides a solution that permits low capability packet-based clients to interoperate with and conduct packet-based communications with state-based terminals.

State-based terminals and stateless clients couple to and communicate with each other using packet-based networks, such as Internet Protocol (IP) intranets (220) and an external Internet (210). *Id.* at Figure 2 and page 13, lines 6-13. To facilitate packet-based media communications sessions between the state-based terminals and stateless clients, a controller (340), employed in a server (230), bi-directionally translates between stateless signaling messages and state-based signaling messages. *Id.* at Figures 2 and 3; page 14, lines 5-15; and page 16, lines 1-11. All claims require the performance of signaling on behalf of packet-based stateless clients.

The following discussion identifies the claimed means plus function limitations and, for each such limitation, provides example structures and discussion in the specification for performing the recited functions:

1. means for receiving, from a stateless client, a first packet comprising a stateless signaling message

Example structures for performing the recited function include external internet 210, IP protocol gateway 215, internal IP intranet 220, server 230, stateless clients 235, 236, and 237, controller 340, stateless client messaging interface 410, and stateless client control engine 440, as described in the specification at 5:2-6:6, 14:5-14:19, 17:9-18:6; 19:9-21:2, and 21:3-22:19.

2. means for translating the first packet into a second packet comprising a state-based signaling message

Example structures for performing the recited function include server 230, call manager 330, controller 340, state-based terminal messaging interface 350, stateless client messaging interface 410, call manager messaging interface 420, state-based protocol engine 430, stateless client control engine 440, as described in the specification at 5:2-6:6, 6:21-7:9, 14:5-19, 15:15-17:3, 18:7-19, and 19:9-21:2.

3. means for communicating the second packet to a state-based terminal, thereby facilitating a media stream communications session between the stateless client and the state based terminal using a packet network

Example structures for performing the recited function include external internet 210, IP protocol gateway 215, internal IP intranet 220, server 230, state-based terminals 205, 206, and 225, controller 340, state-based terminal messaging interface 350, call manager messaging interface 420, and state-based protocol engine 430, as described in the specification at 5:2-6:6, 7:17-21, 13:14-14:19; 16:12-17:3, 17:18-18:19, and 19:9-21:2.

A. Claim 1 - Independent

A system capable of performing state based signaling on behalf of a stateless client, comprising:

a controller, couplable to a state based terminal, that translates at least one stateless signaling message received from said stateless client to at least one state based signaling message for presentation to said state based terminal thereby facilitating a media stream communications session between said stateless client and said state based terminal using an Internet Protocol (IP) based network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

B. Claim 16 - Independent

A method of performing state based signaling on behalf of a stateless client, comprising the steps of:

translating at least one stateless signaling message received from said stateless client to at least one state based signaling message for presentation to said state based

terminal thereby facilitating a media stream communications session between said stateless client and said state based terminal using an Internet Protocol (IP) based network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

C. Claim 21 - Independent

A system capable of performing state based signaling on behalf of a stateless client, comprising:

a controller, couplable to a state based terminal, that translates at least one state based signaling message received from said state based terminal to at least one stateless signaling message for presentation to said stateless client thereby facilitating a media stream communications session between said stateless client and said state based terminal using an Internet Protocol (IP) based network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

D. Claim 36 - Independent

A method of performing state based signaling on behalf of a stateless client, comprising the steps of:

translating at least one state based signaling message received from said state based terminal to at least one stateless signaling message for presentation to said stateless client thereby facilitating a media stream communications session between said stateless client and said state based terminal using an Internet Protocol (IP) based network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

E. Claim 41 - Independent

A system capable of performing state based signaling on behalf of a stateless client, comprising:

a controller, couplable to a state based terminal, that translates at least one stateless signaling message received from said stateless client to at least one state based signaling message for presentation to said state based terminal thereby facilitating a media stream communications session between said stateless client and said state based terminal using a packet network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

F. Claim 51 - Independent

A method of performing state based signaling on behalf of a stateless client, comprising the steps of:

translates at least one stateless signaling message received from said stateless client to at least one state based signaling message for presentation to said state based terminal thereby facilitating a media stream communications session between said stateless client and said state based terminal using a packet network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

G. Claim 56 - Independent

A system capable of performing state based signaling on behalf of a stateless client, comprising:

a controller, couplable to a state based terminal, that translates at least one state based signaling message received from said state based terminal to at least one stateless signaling message for presentation to said stateless client thereby facilitating a media stream communications session between said stateless client and said state based terminal using a packet network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

H. Claim 66 - Independent

A method of performing state based signaling on behalf of a stateless client, comprising the steps of: translating at least one state based signaling message received from said state based terminal to at least one stateless signaling message for presentation to said stateless client thereby facilitating a media stream communications session between said stateless client and said state based terminal using a packet network, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

I. Claim 71 - Independent

An Internet Protocol (IP) based network, comprising:

at least one state based terminal capable of processing state-based signaling messages; at least one stateless client capable of processing only stateless signaling messages; and a server, couplable between said at least one state based terminal and said at least one stateless client, comprising:

a controller capable of performing state based signaling on behalf of said at least one stateless client, including: a stateless client control engine that forms an abstraction of said at least one stateless signaling message received from said at least one stateless client; and a protocol engine that translates said abstraction to at least one state based signaling message for presentation to said at least one state based terminal thereby facilitating a media stream communications session between said at least one stateless client and said at least one state based terminal, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

J. Claim 76 - Independent

An Internet Protocol (IP) based network, comprising:

at least one state based terminal capable of processing state-based signaling messages; at least one stateless client capable of processing only stateless signaling messages; and a server, couplable between said at least one state based terminal and said at least one stateless client, comprising: a controller capable of performing state based signaling on behalf of said at least one stateless client, including: a protocol

engine that forms an abstraction of said at least one state based signaling message received from said at least one state based terminal; and a stateless client control engine that translates said abstraction to at least one stateless signaling message for presentation to said at least one stateless client thereby facilitating a media stream communications session between said at least one stateless client and said at least one state based terminal, wherein the media stream communications session is comprised of packets exchanged between said stateless client and said state-based terminal.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

K. Claim 81 - Independent

A method of performing state based signaling on behalf of a stateless client, the method comprising the following steps:

receiving, from a stateless client, a first packet comprising a stateless signaling message;

translating the first packet into a second packet comprising a state-based signaling message; and

communicating the second packet to a state-based terminal, thereby facilitating a media stream communications session between the stateless client and the state based terminal using a packet network.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

L. Claim 87 - Independent

Software for performing state based signaling on behalf of a stateless client, the software being embodied in a computer-readable medium and when executed by a computer operable to:

receive, from a stateless client, a first packet comprising a stateless signaling message;

translate the first packet into a second packet comprising a state-based signaling message; and

communicate the second packet to a state-based terminal, thereby facilitating a media stream communications session between the stateless client and the state based terminal using a packet network.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

M. Claim 89 - Independent

An apparatus for performing state based signaling on behalf of a stateless client comprising:

means for receiving, from a stateless client, a first packet comprising a stateless signaling message;

means for translating the first packet into a second packet comprising a state-based signaling message; and

means for communicating the second packet to a state-based terminal, thereby facilitating a media stream communications session between the stateless client and the state based terminal using a packet network.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

N. Claim 91 - Independent

A method for establishing a communications session with a remote state-based terminal, the method comprising the following steps performed at a stateless client:

receiving a call initiation signaling message generated at a remote state-based terminal and translated into a stateless call initiation signaling message for presentation to the stateless client to establish a communications session between the stateless client and the remote state-based terminal;

processing the stateless call initiation signaling message to determine that the stateless client is able to conduct the communications session initiated at the remote state-based terminal;

communicating a stateless acknowledgement signaling message for translation and delivery to the remote state-based terminal as a state-based acknowledgement signaling message; and

exchanging packets with the remote state-based terminal using a packet network.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

O. Claim 99 - Independent

A method for establishing a communications session between a remote state-based terminal and a stateless client, the method comprising the following steps performed at the stateless client:

receiving an indication to initiate a communications session between a stateless client and a remote state-based terminal using a packet based network;

communicating a stateless call initiation signaling message for translation and delivery to a remote state-based terminal as a state-based call initiation signaling message to establish the communications session between the stateless client and the remote state-based terminal;

receiving an acknowledgement signaling message generated at the remote state-based terminal and translated into a stateless acknowledgment signaling message for presentation to the stateless client; and

exchanging packets with the remote state-based terminal using a packet network.

See, e.g., Figure 2 (205, 206, 210, 215, 220, 225, 230, 235, 236, 237), Figure 3 (230, 340, 350), Figure 4 (340, 410, 420, 430, 440), Figure 5, and Figure 6; and in the specification at 5:2-6:6, 6:14-7:9, 7:17-21, 8:1-20, 10:4-8, 13:4-14:9, 15:19-17:3, 17:9-19:8, 19:9-21:2.

CONCLUSION

Through this Supplement to the Appeal Brief, the Appeal Brief (filed November 16, 2005), and the Reply Brief (filed April 7, 2006), Appellants have demonstrated that the present invention, as claimed, is patentable over the single reference cited by the Examiner. Therefore, Appellants respectfully request the Board to reverse the final rejection and instruct the Examiner to issue a Notice of Allowance with respect to all pending claims.

Although Appellants believe no fees are due, the Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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